IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

WP(C).No. 17508 of 2007(H)

PETITIONER:

MR.MANI ACHARI, AGED 57 YEARS,
S/O RAJAPPAN ACHARI, PLAPPILLY HOUSE,
OORAKAM DESOM, THRISSUR DIST.

BY ADV. SRI.M.H.HANIL KUMAR

RESPONDENTS:

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1. CHERPU SERVICE CO-OPERATIVE BANK,
REPRESENTED BY ITS SECRETARY, CHERPU P.O.,
THRISSUR DIST., PIN-680561.

2. JOINT REGISTRAR, CO-OPERATIVE SOCIETIES,
AYYANTHOLE, THRISSUR DIST.

3. SPECIAL SALE OFFICER,
OLLUKARA CHERPU GROUP,
OFFICE OF ASST. REGISTRAR, CO-OPERATIVE SOCIETIES,
AYYANTHOLE, THRISSUR DIST.

R1 BY ADV. SRI.G.SREEKUMAR (CHELUR)
R2 & R3 BY SR.GOVT. PLEADER SRI. P.N. SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 17508/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF LOAN PASS BOOK IIN LOAN NO.20/2000.

EXT. P2 : TRUE COPY OF LOAN PASS BOOK IN LOAN NO.21/2000.

EXT. P3 : TRUE COPY OF DEMAND NOTICE ISSUED BY 3RD RESPONDENT DT. 25.5.2007 IN E.P. NO.1152/06.

EXT. P4 : TRUE COPY OF DEMAND NOTICE DT. 25.5.2007 ISSUED BY 3RD RESPONDENT IN E.P. NO.1155/06.

EXT. P5 : TRUE COPY OF REPRESENTATION DT. 26.5.2007 SUBMITTED TO THE 1ST RESPONDENT.

EXT. P6 : TRUE COPY OF REPRESENTATION DATED 26.5.2007 SUBMITTED TO THE 2ND RESPONDENT.

EXT. P7 : TRUE COPY OF DISCHARGE SUMMARY ISSUED FROM DEPAT. OF CARDIOLOGY OF JUBILEE MISSION MEDICAL COLLEGE & RESEARCH INSTITUTE.

EXT. P8 : TRUE COPY OF ECHO CARDIOGRAPHY REPORT DT. 3.9.2004.

K.M.JOSEPH, J.

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WP.(C) No.17508 of 2007

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Dated this the 21st day of June, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Petitioner seeks a direction to dispose of Exts.P5 and P6 and also challenges Exts.P3 and P4. Benefit of one time settlement scheme is claimed by the petitioner.

2. Heard counsel for the respondent Bank also. Counsel for the Bank submits that the petitioner is entitled to the benefit of Circular No.30/2007 and he will be given the benefits due under the Circular. Respondent Bank will serve a statement to the petitioner showing the amount payable by the petitioner after giving him the benefit of Circular No. 30/2007 within a period of two weeks from the date of receipt of a copy of this judgment. Till such time as a decision is taken and communicated to the petitioner, proceedings shall be kept in abeyance.

sb. (K.M. JOSEPH, JUDGE)